



Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter of: Aero Twin, Inc.
File: B-246346
Date: November 7, 1991

Kimberly J. Stohr, Esq., for the protester.
Joan M. Gibson, Esq., United States Marshals Service,
Department of Justice, for the agency.
Jennifer Westfall-McGrail, Esq., Office of the General
Counsel, GAO, participated in the preparation of the
decision.

DIGEST

Protest by an offeror that would not be in line for award if its protest were upheld is dismissed because the protester does not have the requisite direct economic interest to be considered an interested party under the General Accounting Office's Bid Protest Regulations.

DECISION

Aero Twin, Inc. protests the award of a contract for aircraft maintenance services to T&B Aircraft under request for proposals (RFP) No. MS-91-R-0021, issued by the United States Marshals Service, Department of Justice. Aero Twin complains that T&B is not a certified repair station as required by the RFP, and that T&B is not adequately insured.

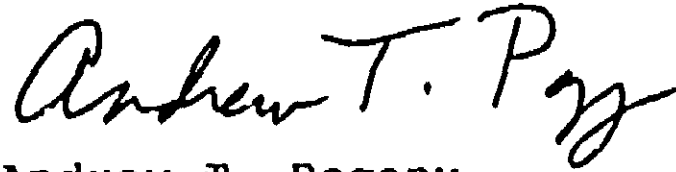
We dismiss the protest.

Our Bid Protest Regulations, 4 C.F.R. § 21.1(a) (1991), require that a party be "interested" before we will consider its protest. An interested party is an actual or prospective bidder or offeror whose direct economic interest would be affected by the award of a contract or by the failure to award a contract. 4 C.F.R. § 21.0(a). Thus, a protester is not an interested party where it would not be in line for award if its protest were sustained. Sparton Def. Elecs., B-237396, Nov. 6, 1989, 89-2 CPD ¶ 432.

Here, the results of the cost/technical evaluation show that Aero Twin would not be next in line for award if its protest of the award to T&B were upheld. The record reveals that Aero Twin received the lowest total point score (price and technical) of the four offerors that competed for the

Anchorage, Alaska, line maintenance services and the heavy maintenance services awarded to T&B. Since two other parties would be in line for award ahead of Aero Twin, Aero Twin is not an interested party to protest the award of a contract for these services to T&B.

The protest is dismissed.

A handwritten signature in cursive script, reading "Andrew T. Pogany".

Andrew T. Pogany
Acting Assistant General Counsel